IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO. 11804 of 2004

Between:

1 G.Chandra Rao, S/o.Janaki Ramaiah,
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.
2 G.Satyanaryaana, S/o.Pattabhi, H.No.87-3-2.
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.
3 Jampa Bharathi, W/o.Anjaneyulu, H.No.87-3-4.
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.
4 Kandikonda Appa Rao, S/o.Appala Swamy, H.No.81-2-2.
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.
5 G.V.Narayana, S/o.Chandra Rao, H.No.87-1-21/1.
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.
6 A.Satyanarayana, S/o.Veeranna, H.No.87-1-19/3,
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.
7 Karry Ramanamma, W/o.Appa Rao, 87-1-22,
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.
8 Ketha Satyanarayana, S/o.Satyam, 87-1-17/8
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.
9 Vemuri Rajesh, S/o.Krishna Rao,
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.
10 J.Prabhudas, S/o.Jayadash,87-1-20/1.
R/o.Ward No.31, Ayyappa Nagar, RTC Complex Road, Rajahmundry,
East Godavari District.

..... PETITIONERS

AND

1 The Superintendent of Police, Kakinada, E.G.District.
2 The Deputy Superintendent of police, Rajahmundry, E.G.Dist.
3 The Sub-Inspector of police, Bommuru police Station,

Rajahmundry,E.G.Dist.
4 The Excise Superintendent (Proh & Excise), Kakinada, E.G.Dist.
5 The Circle Inspector, (Proh & Excise) Kakinada, E.G.District.
6 Polisetty Lakshmi, W/o.Kondaiah,
Ward No.31, Ayyappa Nagar, (Behind Sai Ram Milks),
RTC Complex Road, Rajahmundry, E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction declaring the inaction of the respondents 1 to 5 herein in not taking any action against the 6th respondent in selling illicit liquor in the residential locality of the petitioners i.e. Ward No.31, Ayyppa Nagar, RTC Complex road, Rajahmundry, East Godavari District, as arbitrary, illegal and unconstitutional and consequently direct respondents 1 to 5 not to permit 6th respondent herein to sell illicit liquor in the residential locality.

Counsel for the Petitioner: MR.T.NAGARJUNA REDDY, Advocate

Counsel for the Respondent Nos. 1 to 3 : GP FOR HOME

Counsel for the Respondent Nos. 4 & 5 : GP FOR Prohibition & Excise

Counsel for the Respondent No.6. None appeared.

The Court made the following ORAL ORDER:

This writ petition is filed by the petitioners, who are ten in number, alleging that the respondents 1 to 5 did not take any action against the 6th respondent, who is stated to be carrying on business in illicit liquor.

2. According to the petitioners, the 6th respondent is carrying on the illicit liquor business in the residential locality, causing disturbance not only to the residents of the locality, but also to the children, who are studying. Apart from that, during the course of the business of the 6th respondent, some rowdy-stick elements are visiting the premises of the 6th respondent, thereby causing much disturbance to the residents of the locality of the people, including the petitioners herein. Even though a complaint has been made to the respondents-authorities, they did not take any action so far. Hence, the present writ petition.

3. In view of the inaction on the part of the respondents-authorities, the writ petition is

disposed of at the admission stage, after hearing the learned counsel for the petitioners, as well as the learned Government Pleader for Home and Prohibition & Excise.

4. The grievance of the petitioners is that the respondents 1 to 5 did not take any action on their representations with reference to the illegal activities of carrying on business in illicit liquor etc., in the residential locality by the 6th respondent.

5. Under the above circumstances, the writ petition is disposed of directing the respondents 1 to 5, to take appropriate action immediately to see that the 6th respondent should not carry on any illegal business of illicit liquor etc., at her residence, causing disturbance to the petitioners and other similarly situated persons in the locality.

6. The writ petition is accordingly disposed with the above direction.

S.Ananda Reddy, J.

Dt. 15.07.2004

Note: Issue copy

In two days. (bo)Kvh

ASSISTANT REGISTRAR

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SECTION OFFICER

To

1 The Superintendent of Police, Kakinada, E.G.District.
2 The Deputy Superintendent of police, Rajahmundry, E.G.Dist.
3 The Sub-Inspector of police, Bommuru police Station, Rajahmundry,E.G.Dist.
4 The Excise Superintendent (Proh & Excise), Kakinada, E.G.Dist.
5 The Circle Inspector, (Proh & Excise) Kakinada, E.G.District.
6. Two CCs. to the G.P. for Home, High Court of A.P.,

Hyderabad (OUT)

7. Two CCs. to the G.P. for Proh.& Excise, High Court of A.P.,

Hyderabad (OUT)

8. Two CD Copies.

Kvh

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

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W.P.No. 11804 of 2004

ORAL ORDER

15..07..2004